

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

O I P E OCT 30 2002
PATENT & TRADEMARK OFFICE
RE Application of: Roessler *et al.*

Serial No.: 09/867,930
Filed: 05/30/01
Entitled: NANOEMULSION FORMULATIONS

Group No.: 1635
Examiner: Epps

#10/R.T.
11/3
ELECT.

**AMENDMENT AND RESPONSE TO RESTRICTION
REQUIREMENT MAILED SEPTEMBER 26, 2002**

Assistant Commissioner for Patents
Washington, D.C. 20231

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TECH CENTER 1600/2900

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: October 25, 2002

By

Mary Ellen Wade
Mary Ellen Wade

Madam:

The following communication is responsive to the Office Action mailed September 26, 2002. Applicants hereby elect the Claims in Group I with traverse. Applicants reserve the right to continue prosecution of the withdrawn Claims at a later time.

IN THE CLAIMS:

Please cancel Claims 14-20.

REMARKS

The Examiner has made a restriction requirement, restricting the Claims into two groups, with Group I comprising Claims 1-13 and Group II comprising Claim 14-20. Applicants disagree with this restriction. Nonetheless, in the interests of furthering their business interests, Applicants have elected the Claims in Group I, with traverse.